

I certify that the attached is a true and  
correct copy of HB#96 which  
was filed of record on JUN 30 1987  
and referred to the committee on:

Natural Resources

*Boaty Murray*  
Chief Clerk of the House

FILED JUN 30 1987

By Shelley

H B. No. 96

SECOND CALLED SESSION

A BILL TO BE ENTITLED

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AN ACT

relating to jurisdiction of the Texas Water Commission and Texas  
Department of Health over plans and specifications for certain  
sewage disposal systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 26.034, Water Code, is amended by adding  
Subsection (d) to read as follows:

(d) This section does not apply to private sewage  
facilities.

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the  
crowded condition of the calendars in both houses create an  
emergency and an imperative public necessity that the  
constitutional rule requiring bills to be read on three several  
days in each house be suspended, and this rule is hereby suspended,  
and that this Act take effect and be in force according to its  
terms, and it is so enacted.

# HOUSE COMMITTEE REPORT

1987 JUL -6 PM 7:34

1st Printing

By Shelley

H.B. No. 96

Substitute the following for H.B. No. 96:

By Johnson of Anderson

C.S.H.B. No. 96

A BILL TO BE ENTITLED

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(d) This section does not apply to on-site sewage disposal systems. For purposes of this section, an "on-site sewage disposal system" means a single system or systems of treatment devices and disposal facilities that produce not more than 5,000 gallons of waste per day and are used only for on-site disposal of that sewage.

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COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

7-6-87  
(date)

Sir:

We, your COMMITTEE ON NATURAL RESOURCES,

to whom was referred HB 96 have had the same under consideration and beg to report  
(measure)  
back with the recommendation that it

- ( ) do pass, without amendment.
- ( ) do pass, with amendment(s).
- (X) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (X) yes ( ) no An actuarial analysis was requested. ( ) yes (X) no

An author's fiscal statement was requested. ( ) yes (X) no

The Committee recommends that this measure be placed on the ~~(Local)~~ ~~(Consent)~~ Calendar.

This measure ( ) proposes new law. (X) amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Smith, T., Ch.	X			
Harris, J., V.C.	X			
Johnson, C., C.B.O.	X			
Hammond				X
Holzheuser	X			
Russell				X
Shelley				X
Toomey				X
Yost	X			

Total  
5 aye  
0 nay  
0 present, not voting  
4 absent

Trent D. Smith  
CHAIRMAN  
Laura Colfer  
COMMITTEE COORDINATOR

HB 96  
By: Shelley

Committee on  
Natural Resources

## BILL ANALYSIS

### Background

HB 1326, which was passed during the 70th Legislature, Regular Session, provides that the Water Commission shall review plans for all facilities for the treatment of domestic wastes. The current wording of the statute may be interpreted to include even small single home systems such as septic tanks.

### Purpose of the Bill

This bill would exempt private sewage facilities from the requirements of Section 26.034, Water Code.

### Section by Section Analysis

SECTION 1. Amends Section 26.034, Water Code, to provide that this section does not apply to on-site sewage systems.

SECTION 2. Effective date is September 1, 1987.

SECTION 3. Emergency clause.

### Rulemaking Authority

It is the opinion of this committee that this bill does not delegate rulemaking authority to any state agency, officer, department, or institution.

### Summary of Committee Action

Pursuant to an announcement on the House floor, a formal meeting was held on July 6, 1987, and the full committee voted to report HB 96 to the House as substituted with a recommendation that it do pass by a record vote of 5 ayes, 0 nays and 0 present, not voting.

### Comparison of the Original Bill to the Substitute

The original bill exempted private sewage systems. The substitute specifies that the systems must be on-site systems and has a definition of what systems are exempted.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

July 6, 1987

TO: Honorable Terral Smith, Chair  
Committee on Natural Resources  
House of Representatives  
Austin, Texas

In Re: House Bill No. 96  
Second Called Session  
By: Shelley

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 96 (relating to jurisdiction of the Texas Water Commission and Texas Department of Health over plans and specification for certain sewage disposal systems) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: Water Commission; Department of Health;  
LBB Staff: JO, HES, JWH, AL, NH

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By Shelley

H.B. No. 96

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**ADOPTED**

JUL 8 1987

*Betty Murray*  
Chief Clerk  
House of Representatives

1987 JUL -8 PM 2:29  
HOUSE OF REPRESENTATIVES

By Shelley

ENGROSSED  
SECOND READING  
H.B. No. 96

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# HOUSE ENGROSSMENT

1987 JUL 13 PM 4:27  
HOUSE OF REPRESENTATIVES

By Shelley

H.B. No. 96

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House of Representatives  
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By: Shelley

FROM: Jim Oliver, Director

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Source: Water Commission; Department of Health;  
LBB Staff: JO, HES, JWH, AL, NH

SECOND CALLED SESSION

H. B. No. 96

By Don Shelby

A BILL TO BE ENTITLED  
AN ACT

relating to jurisdiction of the Texas Water Commission and Texas Department of Health over plans and specifications for certain sewage disposal systems.

JUN 30 1987

1. Filed with the Chief Clerk.

JUN 30 1987

2. Read first time and Referred to Committee on

Natural Resources

JUL 6 1987

3. Reported favorably (~~amended~~) (as substituted) and sent to Printer at 5:00 pm

JUL 6 1987

4. Printed and distributed at 7:34 p.m.

JUL 7 1987

5. Sent to Committee on Calendars at 8:22 am

JUL 8 1987

6. Read second time (~~amended~~), passed to third reading (~~failed~~) by (Non-Record Vote) (~~Record Vote of~~ as subs. ~~present, not voting~~)

7. Motion to reconsider and table the vote by which H.B. \_\_\_\_\_ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ years, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting.

JUL 13 1987

9. Read third time (~~amended~~); finally passed (~~failed~~) by (Non-Record Vote) (~~Record Vote of~~ \_\_\_\_\_ years, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. \_\_\_\_\_ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

JUL 13 1987

12. Ordered Engrossed at 2:30 pm

JUL 13 1987

13. Engrossed.

JUL 13 1987

14. Returned to Chief Clerk at 4:27 pm

JUL 14 1987

15. Sent to Senate.

Betty Murray  
Chief Clerk of the House

JUL 14 1987

16. Received from the House

JUL 14 1987

17. Read, referred to Committee on NATURAL RESOURCES

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by (a viva voce vote.) (\_\_\_\_\_ years, \_\_\_\_\_ nays.)

1937 JUL 13 PM 4: 27

HOUSE OF REPRESENTATIVES

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\_\_\_\_\_ 22. To permit consideration, reading and passage, Senate and Constitutional Rules  
suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ 23. Read second time \_\_\_\_\_ passed to third reading by:  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 24. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 25. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 26. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION: OTHER ACTION:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 27. Returned to the House.

\_\_\_\_\_ 28. Received from the Senate (with amendments.)  
(as substituted.)

\_\_\_\_\_ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 30. Conference Committee Ordered.

\_\_\_\_\_ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 32. Ordered Enrolled at \_\_\_\_\_

HOUSE OF REPRESENTATIVES  
1937 JUL - 8 PM 2: 29

HOUSE OF REPRESENTATIVES  
1937 JUL - 6 PM 7: 34